

ENVIRONMENTAL PROTECTION AGENCY

2-SA-ER

May 20, 1976

Violation of 40 CFR 112.3 - Brockway Motor Trucks, Cortland, New York

Henry Gluckstern, Attorney
Water Enforcement Branch
Enforcement Division
26 Federal Plaza
New York, New York 10007

ENVIRONMENTAL PROTECTION AGENCY
REGION II, BUILDING 209
EDISON, NEW JERSEY 08817

The attached letter indicates that the subject facility is in violation of 40 CFR 112.3 for failing to prepare and implement an SPCC Plan by the specified deadlines.

It is recommended that this facility be cited for this violation.

Clark K. Price
Pollution Spills Investigator
Emergency Response Section

Attachment

CKPrice:NDE:SA-ERI:Bldg. 209:X548:5/2/76

CONCURRENCES

SYMBOL	2-SA-SUR	2-SA-SUR	2-SA-SUR				
SURNAME	CKPrice	PELLiot	MPolito				
DATE							

299972



CERTIFIED MAIL
RETURN RECEIPT REQUESTED



BROCKWAY MOTOR TRUCKS

FACTORY & GENERAL OFFICE
106 CENTRAL AVENUE
CORTLAND, N.Y. 13045

May 10, 1976

United States Environmental Protection Agency
Region II
Edison, New Jersey 08817

Attention: Mr. Michael V. Polito

Gentlemen:

In response to your letter of April 28, 1976:

1. (q) Does your facility store oil in any container with 660 gallons capacity or more?
 - (a) Yes, see enclosed Petroleum Storage List.
2. (q) What is your total above ground oil storage capacity?
 - (a) The total above ground storage is 28,000 gallons in six (6) tanks.
3. (q) What is your total under ground oil storage capacity?
 - (a) The total under ground storage is 47,000 gallons in nine (9) tanks.
4. (q) Have you had any spills at your facility within the past five (5) years? If so, list the date of each spill, quantity spilled, and amount discharged into navigable waters or tributaries, thereto.
 - (a) There have been no oil spills of any kind during the past five years.
5. (q) Do you have a Spill Prevention Control and Countermeasure Plan as required by 40CFR, Part 112? If so, please provide the following:

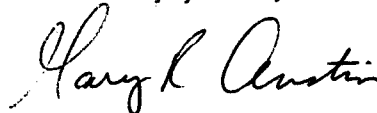
Continued....

May 10, 1976

- a. The date it was certified by a Professional Engineer and,
 - b. The name, address, and license number of the Engineer.
- (a) The SPCC has been updated and certified by Robert Dillon,
New York State License Number 052273.
6. (q) On what date was your SPCC Plan fully implemented?
- (a) The last phases of the plan were implemented May 8, 1976.
7. (q) If your SPCC Plan is not yet fully implemented, list what portions of your SPCC Plan have been implemented, and what portions remain outstanding. Give a projected time schedule for completion of all outstanding items.
- (a) The Plan has been fully implemented.
8. (q) What is the name and telephone number of the owner and/or operator of your facility?
- (a) Mack Trucks, Inc. Telephone # (215) 439-3011
9. (q) Are any substances, other than oil, stored at your facility? If so, provide a listing by trade and chemical name of all liquid materials by the pure compounds, mixtures thereof or solutions stored or having the capacity to be stored as set forth in (1), (2), and (3) above.
- (a) Yes. 95% solution of Ethylene Glycol Permanent Antifreeze.
Total storage capacity - 10,000 gallons under ground.

If you have any further questions, please do not hesitate to contact me.

Sincerely yours,



Gary R. Austin
Industrial Engineer

cac

Attachment

PETROLEUM STORAGEDIESEL FUEL

1. Storage Capacity

a.	One 2,000 gallon tank (Assembly)	2,000
b.	One 11,000 gallon tank (Security Office)	11,000
c.	Two 4,000 gallon tanks (Durkee)	8,000
d.	Two 2,000 gallon tanks (Durkee)	4,000

TOTAL CAPACITY (Gallons) 25,000

GASOLINE

1. Storage Capacity

a.	One 2,000 gallon tank (West Yard)	2,000
----	-----------------------------------	-------

TOTAL CAPACITY (Gallons) 2,000

FUEL OIL - BOILER - NO. 4 FUEL

1. Storage Capacity

a.	Two 10,000 gallon tanks (Boiler House)	20,000
----	--	--------

TOTAL CAPACITY (Gallons) 20,000

ANTI-FREEZE (44% Ethylene Glycol - Permanent)

1. Storage Capacity

a.	Three 2,000 gallon tanks (Assembly)	6,000
b.	One 4,000 Gallon tank (Assembly)	4,000

TOTAL CAPACITY (Gallons) 10,000

MISCELLANEOUS OILS20 W 20 Motor Oil (October 16 thru April 14)

1. Storage Capacity

a.	One 6,000 gallon tank (Oil Room)	6,000
----	----------------------------------	-------

Continued...

SAE 30 Motor Oil (April 15 thru October 15)

1. Storage Capacity

- | | |
|-------------------------------------|-------|
| a. One 6,000 gallon tank (Oil Room) | 6,000 |
|-------------------------------------|-------|

SPIREX 90 HD - DIFFERENTIAL OIL

1. Storage Capacity

- | | |
|--------------------------------------|-------|
| a. Two 4,000 gallon tanks (Oil Room) | 8,000 |
|--------------------------------------|-------|

DENTAX 90 - MINERAL OIL

1. Storage Capacity

- | | |
|-------------------------------------|-------|
| a. One 4,000 gallon tank (Oil Room) | 4,000 |
|-------------------------------------|-------|

DONAX TX - AUTO TRANSMISSION FLUID

1. Purchased in 55 gallon drums

THUBAN 250 - FOR ROCKWELL SPRING SEATS

1. Purchased in 55 gallon drums.

TEXACO HD2 MARFAX CHASSIS GREASE

1. Purchased in 55 gallon drums.

SHELL ALBENIA EP-2 CHASSIS GREASE

1. Purchased in 55 gallon drums

WINDSHIELD WASHER FLUID - 50% ISAPROPANOL

1. Purchased in 55 gallon drums.

MISCELLANEOUS OIL USED FOR MAINTENANCE

1. Purchased in 55 gallon drums.

SPCC NUMBER* 48180
LOCATOR CODE* BROCK13045
LOCATOR ZIP* 13045
FACILITY NAME* BROCKWAY TRUCK CO
FACILITY TYPE* NTR

OWNER-OPERATOR NAME* BROCKWAY TRUCK CO
OWNER-OPERATOR TELEPHONE* 607-756-7511
REGION* 2
STATE* NY
START UP DATE* 01/10/1974
PREPARATION DEADLINE* 07/12/1974
IMPLEMENTATION DEADLINE* 01/10/1975

MAILING FACILITY* BROCKWAY TRUCK CO
MAILING ADDRESS LINE ONE* 106 CENTRAL AVE
MAILING ADDRESS LINE TWO* CORTLAND, NY 13045

DATE* 04/28/1976
NAME* PRICE
ORGANIZATION* US EPA EDISON

VIOLATION CODE* A
REFERRAL DATE* 05/20/1976

ENFORCEMENT COMMENTS* BROCKWAY TRUCK CO CORTLAND NY

Brockway
motor
trucks
former facility
file.

April 28, 1976

Brockway Truck Co.
106 Central Avenue
Cortland, New York 13045

Gentlemen:

We are undertaking a determination of compliance with 40 CFR, Part 112, "Oil Pollution Prevention Regulation," as published in the Federal Register, Volume 38, Number 237, dated December 11, 1973. Pursuant to Section 308 of the Federal Water Pollution Control Act Amendments ("the Act") of 1972, 33 U.S.C. Section 1251 et. seq., you are hereby required to provide EPA with answers to the questions listed below no later than May 12, 1976:

- (1) Does your facility store oil in any container with 660 gallon capacity or more?
- (2) What is your total above ground oil storage capacity?
- (3) What is your total underground oil storage capacity?
- (4) Have you had any spills at your facility within the past five years? If so, list the date of each spill, quantity spilled, and amount discharged into navigable waters or tributaries thereto.
- (5) Do you have a Spill Prevention Control and Countermeasure Plan, as required by 40 CFR, Part 112? If so, please provide the following:
 - (a) The date it was certified by a Professional Engineer, and
 - (b) The name, address, and license number of the engineer.
- (6) On what date was your SPCC Plan fully implemented?

SA/ERI:CKPrice:nde:Bldg.209:x548:4/27/76

CONCURRENCES

SYMBOL	SA/ERI	SA/ERI	SA/ERI				
SURNAME	PRICE	ELLIOT	POLITO				
DATE	4/27/76	4/27/76	4/27/76				

(7) If your SPCC Plan is not yet fully implemented, list what portions of your SPCC Plan have been implemented, and what portions remain outstanding. Give a projected time schedule for completion of all outstanding items.

(8) What is the name and telephone number of the owner and/or operator of your facility?

(9) Are any substances, other than oil, stored at your facility? If so, provide a listing by trade and chemical name of all liquid materials, by the pure compounds, mixtures thereof or solutions stored or having the capacity to be stored as set forth in (1), (2), and (3) above.

If the answers to these questions contain any information you consider proprietary or confidential, after answering the question, please so indicate. Failure to respond to the above questions by the date indicated above will subject you to the penalties provided for in Section 309 of the Act.

Your cooperation is greatly appreciated.

Sincerely yours,

Michael V. Polito
Chief

Emergency Response & Inspection Branch

cc: H. Gluckstern, ENF-WE
A. Baldwin, RFO

cc: Mr. Baldwin

Ogden Reid
XXXXXXXXXXXX

Region 7, Environmental Quality Office

April 15, 1976

Mr. Gary Austin
Brockway Truck Co.
106 Central Ave
Cortland, New York 13045

RECEIVED

Dear Mr. Austin:

The enclosed notification and information sheet contains telephone numbers for reporting of oil spills to State and Federal pollution control agencies. They should be useful in updating your SPCC plan.

As we discussed, the 6,000 gallon tank in the basement of your building in Philadelphia would probably be considered an above ground storage. I suggest contacting EPA for a final determination.

Very truly yours,

Paul Sheneman
Sanitary Engineer
Pure Waters

cc: Mr. Baldwin

Enc.

*Paul will you send a 308 letter
al*

*OK
PPE*

*4/26
#1*